

2013 DRAFTING REQUEST

Assembly Amendment (AA-AB347)

Received: 9/17/2013 Received By: emueller
Wanted: As time permits Same as LRB:
For: Thomas Weatherston (608) 266-0731 By/Representing: John Leiber
May Contact: Drafter: emueller
Subject: Transportation - driver licenses Addl. Drafters:
Extra Copies: ARG

Submit via email: YES
Requester's email: Rep.Weatherston@legis.wisconsin.gov
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Motorcycle driving skills test waiver for certain courses approved by Motorcycle Safety Foundation and DOT

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	emueller 9/20/2013			_____			
/1		evinz 9/20/2013	rschluet 9/20/2013	_____	mbarman 9/20/2013	mbarman 9/20/2013	

FE Sent For:

<END>

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1? emueller

11 EUM
9/20/13

FE Sent For:

1 eev
9/20/13

9/20/13

<END>

Mueller, Eric

From: Leiber, John
Sent: Thursday, September 19, 2013 3:40 PM
To: Mueller, Eric
Subject: RE: Amendment to AB 347

Eric,

MSF + DOT approved rider courses would be the only courses. There would no longer be any DOT only courses. All of the DOT courses are currently just MSF designed courses anyway, this amendment will allow DOT to adopt new courses more quickly than the current process allows.

For the second question, yes, that should be included, as that is the way it works for current rider courses and this amendment is not intended to change that procedure.

John Leiber
Legislative Assistant
Office of State Representative Weatherston, 62nd District
(608) 266-0731
john.leiber@legis.wisconsin.gov

From: Mueller, Eric
Sent: Thursday, September 19, 2013 2:36 PM
To: Leiber, John
Subject: RE: Amendment to AB 347

John,

Two questions:

1. Do you want a MSF + DOT approved rider course to be the only approved waiver course? Or in addition to the bill's basic or more advanced rider course approved only by DOT?
2. Should the completion of a MSF + DOT approved rider course be added to section 1 of the bill? That is, does completion of a MSF + DOT approved rider course mean that DOT cannot require a person to hold an instruction permit prior to issuance of a class M license?

Thanks,

Eric Mueller
Attorney, Legislative Reference Bureau
Phone: (608)261-7032
eric.mueller@legis.wisconsin.gov

From: Leiber, John
Sent: Tuesday, September 17, 2013 2:12 PM
To: Mueller, Eric
Subject: Amendment to AB 347

Eric,

Attached is the memo detailing what Rep. Weatherston wants the amendment to do. He would like it drafted as soon as possible as the committee meeting is next week.

Thanks,

John Leiber

Legislative Assistant

Office of State Representative Weatherston, 62nd District

(608) 266-0731

john.leiber@legis.wisconsin.gov

I don't know for sure but I think I am the only legislator in Wisconsin that is licensed to teach motorcycle safety.

I would like to offer an amendment to this bill in order to streamline the DOT waiver process for future motorcycle safety class curriculum changes in Wisconsin.

Currently all motorcycle safety curriculum used in Wisconsin is developed by the Motorcycle Safety Foundation (MSF). This is a nationally recognized organization which develops teaching curriculum through research and traffic studies. MSF also certifies instructors to teach these programs. The State of Wisconsin uses these programs and MSF certified instructors to run our motorcycle safety program. MSF designates some of their curriculum as able to receive a "waiver". Waivers are issued to students in Wisconsin who successfully complete the Basic Rider Class which allows them to bypass the DOT on road driving Test.

This bill extends the waiver to the Experienced Rider's Class. A great way to get experienced riders properly licensed to operate their motorcycle.

Next year the State of Wisconsin will be rolling out a new beginner MSF motorcycle safety curriculum. This new curriculum most likely will not meet the requirements for a waiver as spelled out in Tans. 129 and could delay the startup of this program while we adjust the legislation.

Therefore: I suggest that this bill be adjusted to read that a waiver can be issued with successful completion of any curriculum designated and a "waiver" class by the MSF and as approved by the head of the Wisconsin DOT Motorcycle Safety program.



Note
State of Wisconsin
2013 - 2014 LEGISLATURE



LRBa0845/1

EVM:.....

Lee

ASSEMBLY AMENDMENT ,
TO ASSEMBLY BILL 347

RMR

9/20/13

Today

At the locations indicated, amend the bill as follows:

1. Page 2, line 1: before that line insert:

“SECTION 1c. 343.06 (1) (c) of the statutes is amended to read:

343.06 (1) (c) To any person under age 18 unless the person is enrolled in a school program or high school equivalency program and is not a habitual truant as defined in s. 118.16 (1) (a), has graduated from high school or been granted a declaration of high school graduation equivalency, or is enrolled in a home-based private educational program, as defined in s. 115.001 (3g), and has satisfactorily completed a course in driver education in public schools approved by the department of public instruction, or in technical colleges approved by the technical college system board, or in nonpublic and private schools or tribal schools, as defined in s. 115.001 (15m), that meet the minimum standards set by the department of public instruction, or has satisfactorily completed a substantially equivalent course in

1 driver training approved by the department and given by a school licensed by the
2 department under s. 343.61, or has satisfactorily completed a substantially
3 equivalent course in driver education or training approved by another state and has
4 attained the age of 16, except as provided in s. 343.07 (1g). The department shall not
5 issue a license to any person under the age of 18 authorizing the operation of "Class
6 M" vehicles unless the person has successfully completed a basic rider course
7 designated by the Motorcycle Safety Foundation as a driving skills test waiver course
8 and approved by the department. The department may, by rule, exempt certain
9 persons from the basic rider course requirement of this paragraph. Applicants for
10 a license under s. 343.08 or 343.135 are exempt from the driver education, basic rider
11 or driver training course requirement. The secretary shall prescribe rules for
12 licensing of schools and instructors to qualify under this paragraph. The driver
13 education course shall be made available to every eligible student in the state.
14 Except as provided under s. 343.16 (1) (bm) and (c) and (2) (cm) to (e), no operator's
15 license may be issued unless a driver's examination has been administered by the
16 department." ✓

Section 1) - (CS, B)

17 Cross-reference: Cross-reference: Cross-reference: See also ch. Trans 129, Wis. adm. code. Cross-reference:

History: 1971 c. 40 s. 93; 1971 c. 154 s. 79 (3); 1971 c. 219; 1975 c. 184 s. 13; 1975 c. 421; 1977 c. 29 s. 1654 (7) (a), (c); 1977 c. 41, 238, 273, 360, 447; 1983 a. 17, 243; 1985 a. 202; 1987 a. 40, 122; 1987 a. 332 s. 64; 1987 a. 403; 1989 a. 31, 105; 1993 a. 16, 227, 363, 399, 491; 1995 a. 27 s. 9145 (1); 1995 a. 77, 113, 448; 1997 a. 27, 84, 283; 1999 a. 9, 140; 2001 a. 38; 2003 a. 33; 2006 a. 126, 149, 277, 387; 2007 a. 20, 97; 2009 a. 28, 103, 302; 2011 a. 23, 32, 260.

18 2. Page 2, line 1: delete "1" and substitute "1m". ✓

Section 1m) (CS, B)

19 3. Page 2, line 17: delete lines 17 to 20 and substitute:

20 "authorization to operate Class M" vehicles and who has successfully
21 completed a basic rider course designated by the Motorcycle Safety Foundation as
22 a driving skills test waiver course and approved by the department to hold an
23 instruction permit under s. 343.07 (4)". ✓

24 4. Page 3, line 21: delete that line and substitute:

run in from next page

No 91

- 1 "applicant has successfully completed a basic rider course designated by the
2 Motorcycle Safety Foundation as a driving skills test waiver course and approved". ✓
3 (END)

D Note

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

(date)

LRBa0845/ldn
EVM:eev

John Leiber

ATTN: John Leiber

This draft includes a treatment of s. 343.06(1)(c), but does not include any treatment of s. 343.07(4)(b), 343.32(4), or 343.60(1)(c). Please let me know if you want any changes or if you have any questions.

changes

EVM

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa0845/1dn
EVM:eev:rs

September 20, 2013

ATTN: John Leiber

This draft includes a treatment of s. 343.06 (1) (c), but does not include any treatment of s. 343.07 (4) (b), 343.32 (4), or 343.60 (1) (c). Please let me know if you want any changes or if you have any questions.

Eric V. Mueller
Legislative Attorney
Phone: (608) 261-7032
E-mail: eric.mueller@legis.wisconsin.gov